

U.S. Patent Application No. 10/552,880  
Amendment  
Response to Office Action dated June 26, 2008

Docket No. 784-107

### **REMARKS**

The foregoing amendments and these remarks are in response to the Office Action dated June 26, 2008. Applicant requests a one-month extension of time for filing this response, and authorization is hereby given to charge the appropriate fee therefor to Deposit Account No. 50-0951.

At the time of the Office Action, claims 1-22 were pending in the application. In the Office Action, claim 4 was objected to for an informality. Claims 1-8, 10, 11 and 15 were rejected under 35 U.S.C. §102(b). Claims 9, 12-14 and 16-22 were rejected under 35 U.S.C. §103(a). The objections and rejections are discussed in more detail below.

#### **I. Objection to the Claims**

An objection was raised regarding claim 4 because of a minor informality. An appropriate correction is made herein, and withdrawal of the objection is respectfully requested.

#### **II. Rejections to the claims based on cited art**

Claims 1-8, 10, 11 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,691,043 to Keller et al. (hereafter "*Keller*"). Claims 9, 12-14 and 16-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller*.

On review of the *Keller* patent, applicant there does not appear to be any teaching or suggestion of the integers of the amended independent claims and, therefore, these claims should be seen as allowable in light of *Keller*. Full support for the amendments can be found at various locations in the specification.

The Office Action states that *Keller* teaches that the core layer may be opaque. To the contrary, column 7, lines 25-27 of *Keller* indicate that the core layer is provided, on one or both sides, by a supporting layer that contains TiO<sub>2</sub>. A further skin layer is provided over the supporting layer to encapsulate the TiO<sub>2</sub> and to provide an opaque, five layer structure. Thus, neither the core layer itself nor the skin layer(s) are opaque in *Keller*, but rather the opaqueness is derived from the encapsulated TiO<sub>2</sub>, which is an

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opacifying compound, together with the layering of the core layer, the supporting layer(s) and the skin layer(s). There is clearly no teaching or suggestion in *Keller* of forming an under layer having an opacity, and an outer layer formed of a different material which has an opacity that is configured to reduce after exposure to moisture or liquid. There is no teaching or suggestion in *Keller* of altering the opacity of the skin layer, or providing a skin layer that is in any way changeable when exposed to moisture or liquid.

For the foregoing reasons, amended claims 1 and 16 are believed to relate to patentable subject matter, and to be in condition for allowance. The dependent claims are also believed allowable because of their dependence upon an allowable base claim, and because of the further features recited.

### **III. Conclusion**

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

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Respectfully submitted



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